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Appl. No.: 10/042,245  
Amendment dated January 4, 2006  
Reply to Office Action of October 4, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**John J. DONAHUE**

Serial No.: 10/042,245

Filed: January 11, 2002

For: **METHOD AND APPARATUS FOR  
NEGOTIATING A CONTRACT  
OVER A COMPUTER NETWORK**

Atty. Docket No.: 011684.00009

Group Art Unit: 3621

Examiner: Greene, Daniel L.

Confirmation No.: 7433

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**AMENDMENT**

U.S. Patent and Trademark Office  
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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

I hereby certify that this correspondence is being  
facsimile transmitted to the Patent and Trademark  
Office on January 4, 2006, to (571) 273-8300.  
Signature: /Ross Dannenberg/  
Ross A. Dannenberg, Reg. No. 49,024

Sir:

In response to the Office Action mailed October 4, 2005, please amend the instant application as follows:

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Applicant hereby petitions for any extension of time in order to submit this Amendment. The Office is hereby authorized to charge any requisite extension of time fee to our Deposit Account 19-0733. If any other fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

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permitting the first and second negotiators to select "agree" for the agree/defer selector, and otherwise inhibiting such selection. There is no basis on which to rely that supports the notion that the preventing step of claim 2 could not be used with the permitting step of claim 3, because the two steps each refer to different fields of the user interface, and thus could be used together if the applicant so desires.

As another example, there is no disclosure in the specification or limitation in the language of claim 4 that repeating steps (1) and (3) until the first and second negotiator have selected either agree or defer for each of the plurality of contract provisions is mutually exclusive from the recitations of, e.g., claims 2 and 3.

The other alleged species are also not mutually exclusive from each other. For brevity, Applicant does not believe it necessary to point out the same flaw of the Office Action's indication of alleged species of each claim with respect to every other alleged species/claim.

#### CONCLUSION

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 4th day of Jan., 2006

By: /Ross Dannenberg/  
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